

ENTERED

September 11, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBERT HAVENS,
Plaintiff,

V.

CYCLONE SEPTIC SERVICES, LLC,
Defendant.

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CIVIL ACTION NO. 4:22-cv-2768

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

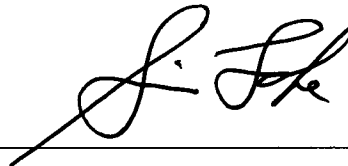
Having reviewed the magistrate judge's Memorandum and Recommendation dated August 17, 2023 (Dkt. 26) and the objections thereto (Dkt. 30), the court is of the opinion that said Memorandum and Recommendation should be adopted by this court.

It is therefore **ORDERED** that the magistrate judge's Memorandum and Recommendation recommending that Defendant's Motion for Reconsideration (Dkt 14) be denied as moot, Defendant's Motion to Set Aside Default Judgment (Dkt. 17) be granted, and the Final Judgment entered against Defendant (Dkt. 13) be vacated is hereby **ADOPTED** by this court.

It is **ORDERED** that the Final Judgment entered January 26, 2023 (Dkt. 13) is **VACATED**.

It is further **ORDERED** that Defendant must file its Answer to the Complaint within 14 days of entry of this Order of Adoption.

SIGNED at Houston, Texas this 11th day of September, 2023.



SIM LAKE

SENIOR UNITED STATES DISTRICT JUDGE